

REMARKS

By this Amendment the specification has been amended to better conform to U.S. practice, claims 69-71 have been replaced by new claim 79, claims 72-78 have been amended, and new claim 80 has been added to retain a feature cancelled from claim 76. Entry is requested.

In the outstanding Office Action the examiner has rejected claims 71, 75, 76 and 77 under 35 U.S.C. 112 for various reasons.

It is believed that the examiner's objections have been addressed by the amended claims.

The examiner has rejected claims 69, 73 and 74 under 35 U.S.C. 102(b) as being anticipated by Hase et al., he has rejected claims 69-71 and 78 under 35 U.S.C. 102(b) as being anticipated by Okazaki et al., he has rejected claim 72 under 35 U.S.C. 103(a) as being unpatentable over Okazaki et al. in view of Lehmeier et al., he has rejected claims 73-75 under 35 U.S.C. 103(a) as being unpatentable over Okazaki et al. in view of Hase et al., he has rejected claim 76 under 35 U.S.C. 103(a) as being unpatentable over Hase et al. or Okazaki et al., in view of Miyao et al., and he has rejected claim 78 under 35 U.S.C. 103(a) as being unpatentable over Hase et al. or Okazaki et al., in view of Iyasu et al.

These rejections cannot apply to the amended claims.

Okazaki et al. a fuel cell which includes stacks of cells 14 between clamping plates 16, 17 connected by bolts 18 and surrounded by an exterior insulation 15. However, the exterior insulation 15 does not

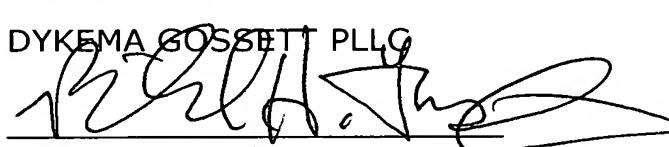
embrace lateral sides of insulating elements located at the opposite ends of the stacks. And nothing in the other patents cited by the examiner would suggest such structure.

Thus, the examiner's rejections should be withdrawn and the revised claims allowed.

Respectfully submitted,

DYKEMA GOSSETT PLLC

By:


Richard H. Tushin
Registration No. 27,297
Franklin Square, Third Floor West
1300 I Street, N.W.
Washington, DC 20005-3353
(202) 906-8680

DC01\157302.1
ID\RHT - 066376/0389